



REGULAR BOARD MEETING
University Park Plaza
University Conference Room C – Third Floor
2829 University Avenue S. E.
Minneapolis, Minnesota 55414

November 21, 2008

Members Present: Kathleen Beehler, LSW
Christine Black-Hughes, LICSW
William Cullen, Secretary-Treasurer
David Hallman, LSW, Chair
Jacqueline Johnson, LICSW
Rosemary Kassekert, Public Member
Mary Casey Ladd, LICSW
Peter Langseth, LSW
Kenneth Middlebrooks, Public Member, Vice Chair
Beverly Ryan, LISW
David Sandry, Public Member
Angie Stratig, LICSW
Antonia Wilcoxon, Public Member

Members Absent: Tamerlee Ruebke, LSW

Staff Present: Louis Hoffman, Director of Compliance
Brenda Mammenga, Recording Secretary
Sheryl McNair, LICSW, Assistant Director
Connie Oberle, Office Manager
Michelle Rhubee, LGSW, Staff Social Worker
Kate Zacher-Pate, LSW, Executive Director

1. PROPOSED AGENDA

Chair Hallman called the meeting to order at 10:10 a.m.; a quorum was present. The Board unanimously approved the agenda with the addition of the Board's consideration and action for a Variance Request dated November 7, 2008 to be discussed after the Executive Director's Report. Hallman also reported he is very pleased that Helen Washington, President of the Minnesota Association of Black Social

Workers, has accepted the Board's invitation to have a seat on the Board's Advisory Committee for one year. Washington brings experience from her work in Hennepin County and the community.

2. MINUTES FOR SEPTEMBER 19, 2008 MEETING [Attached]

The September 19, 2008 meeting minutes were unanimously approved with the addition of Beehler's request noting on page 15 that Ruebke left the meeting with her at 2:15 p.m.

3. EXECUTIVE DIRECTOR'S REPORT: Zacher-Pate [Attached]

Zacher-Pate reported the following:

A. Variance Request [Distributed]

- A variance request dated November 7, 2008 was presented to the Board for its consideration and action. **A motion was made by Langseth, and seconded by Sandry, to deny the request for variance as the accident occurred three months after the date her application for the LISW license was closed. The motion was approved by the Board with two abstentions.**

B. Strategic Plan Status Report [Distributed]

C. Statistics [Attached]

- On-line renewals are over 67% and applications have increased to 64%.

D. BOSW Staffing Update

- The Office Assistant position has been posted as an exclusion from the current state hiring restrictions. The posting is limited to current state employees. We expect to interview in early December.

E. Budget Information

- The budget, as approved by the Board at its September 29 meeting, has been submitted to the Department of Finance.
- The Board approved two change items:
 - increased spending authority of \$37,000 in FY 2010 and \$75,000 in FY 2011, FY 2012, and FY 2013, and
 - a fee decrease of 10% from fees in effect January 1, 2006, to sunset June 30, 2013.
- Initial reports from the HLB Executive Budget Officer indicate that change items will not likely be approved by the Department of Finance.
- The Executive Directors will attempt to meet with Laura Bordelon, the Governor's representative from the Health Boards, regarding the HLB FY 2010-FY 2011 budgets.

- The Board's fee decrease will also be introduced as part of the 2009 Legislative proposal.

F. Biennial Report

- The Board's Biennial Report was completed by the October 15, 2008 deadline and was submitted to the Board members via e-mail, and is posted on the website.

G. Board Member Appointments

- Annie Paruccini met with the Executive Directors on November 4. She reported that she would try to prioritize BOSW appointments given that seven positions would be open as of January 2009. Contact will be maintained with her office.
- A notice regarding "Ethics in Government" was sent to all Board member appointees. There are no reports of issues with HLB Board members.
- Ms. Paruccini praised the HLBs cooperative service model and training programs for Board members.

H. NASCIO Recognition Award

- The HLBs were recognized for their Continuity of Operations Plan for the State of Minnesota at the national level by the National Association of State Chief Information Officers (NASCIO). NASCIO's mission is to foster government excellence through quality business practices, information management, and technology policy. Founded in 1969, NASCIO represents state chief information officers and information technology executives and managers from the states, territories, and the District of Columbia.

4. **COMPLIANCE COMMITTEE: Hallman, Johnson, Middlebrooks, Ladd, Ryan**
[No cases for action]

Hallman reported the committee has been reviewing the compliance process and has had meetings and conferences with licensees.

5. **FINALIZE 2009 LEGISLATIVE PROPOSAL:** Ladd, Zacher-Pate, McNair
[Attached]

Ladd expressed her appreciation to the Board for supporting her during the loss to her family.

"Legislation & Rules Policy Recommendations to the Board 2009 Legislative Proposal Transition Language November 21, 2008" was distributed and is attached.

- It was noted the date of August 1, 2008, in Policy Recommendation #2 should be changed to August 1, 2011.

Ladd, as Chair of the Legislation and Rules Committee, recommends Board approval of the three transition policies with the date in Recommendation #2 changed from August 1, 2008, to August 1, 2011, and proposes to delegate authority to staff, working with the AGO and the Legislation and Rules Committee, to draft the technical statutory language. The motion was seconded by Johnson and was unanimously approved by the Board.

Ladd thanked the Coalition and Board staff for their work on this project.

**6. DRAFT LEGISLATIVE REPORTS AND COMMITTEE RECOMMENDATIONS:
Wilcoxon** [Mailed to Board Members Prior to Meeting]

Wilcoxon reported the following on behalf of the Licensing Study Committee:

- Wilcoxon expressed her appreciation to the Committee members including Board members, the Coalition, the Advisory Committee, and the community for their support over the last fourteen months. She also expressed her debt of gratitude to Christine Black-Hughes and Tony Bibus for dedicating their sabbaticals to document and map the demographics of social workers in Minnesota.
- Zacher-Pate also thanked the Committee members for their diligence in preparing the legislative recommendations which are due to the Legislature by December 15. She said the suggested strategy from the Committee is for Wilcoxon and Zacher-Pate to prepare an introductory summary about the recommendations and for Zacher-Pate to be in contact with Senators Marty and Erickson Ropes about their wishes on the recommendations.
- The recommendations will be available on the Board's website, and copies will be provided to ASWB, those who completed the survey, and others who request them. At the January Board meeting the Board will discuss how the recommendations may be introduced to the community and state.
- Wilcoxon noted that at the committee meeting last evening, the Committee recommended the following changes to the recommendations:
 - Recommendation #2: Add "e." to paragraph number one: "The Board will explore contractual language with ASWB."
 - Recommendation #3: Change paragraph number two to read: "The Board will continue its efforts to increase representation on the Board and its committees of persons from diverse ethnic, racial, and culturally diverse communities statewide."
 - Recommendation #3: Change paragraph number three to read: "The Board will receive trainings involving issues related to cultural competence and emerging issues for residents of Minnesota from diverse ethnic, racial, and cultural communities."
 - Recommendation #8: Delete paragraph number two.
 - Recommendation #10: Add "f." to paragraph number two to read: "Financial incentives for specialized training or education."

Wilcoxon, as Chair of the Licensing Study Committee, recommends Board approval of the Committee's Legislative Recommendations, as amended. The Board unanimously approved the recommendations.

7. **LUNCH** (11:45 a.m. – 12:20 p.m.)

8. **HEALTH PROFESSIONALS SERVICES PROGRAM (HPSP) REPORT:**
Tracy Erfourth, HPSP Case Manager

Zacher-Pate introduced Erfourth, and Erfourth reported on the process used to determine whether a health professional qualifies for the program, including the following:

- The intake interview helps determine if there is a physical, mental, or substance abuse issue and whether a monitoring plan should be developed, including supervision either at the work site or outside supervision.
- Monitoring contracts may be created and implemented, and continuing care and compliance of health program participants is monitored.
- HPSP is unique as it offers a single point of contact for all regulated health professionals, providers, and employers which is beneficial as it eliminates the duplication of services among boards.
- HPSP also benefits the public as it monitors and/or restricts the practice of impaired health professionals. It provides permission, confidentiality, and immunity for others reporting impaired health professionals, and ensures licensees are receiving the appropriate level of care.
- Erfourth distributed the HPSP brochure.

Zacher-Pate thanked Erfourth for her presentation.

9. **OFFICE OF MENTAL HEALTH PRACTICE REPORT (OMHP):** **Gina Green**
[Attached]

Green reported she was asking each Mental Health Licensing Board to approve the "Recommendations Concerning the Regulation of Unlicensed Mental Health Practitioners in Minnesota." **A motion was made by Stratig, and seconded by Middlebrooks, to approve the four recommendations concerning the future regulation of OMHP. The motion carried unanimously.**

Green thanked the Board of Social Work for being her administrator as the Program Manager of OMHP. Green also noted that Black-Hughes is this Board's representative on OMHP's Program Committee.

10. ELECTION OF BOARD OFFICERS FOR 2009: Sandry [Attached]

Sandry, as Chair of the Board's Nominating Committee, reported the following slate of Officers:

- **David Hallman, Chair**
- **Ken Middlebrooks, Vice Chair**
- **David Sandry, Secretary-Treasurer**

Cullen made a motion to approve the slate of officers as reported by Sandry. The motion was seconded by Langseth and unanimously approved by the Board.

(Note: Wilcoxon asked that her name be removed for consideration as Secretary-Treasurer on the slate of Board Officers.)

11. FARB CONFERENCE ATTENDANCE: Hallman

- Hallman reported the conference will be held January 23-25, 2009 in Tampa, Florida.
- Hoffman will attend the conference and he is on the Educational Committee.

A motion was made by Langseth, and seconded by Black-Hughes, to approve Ladd and Ruebke to attend the FARB Conference from January 23-25 2009. The motion carried unanimously.

12. BOARD MEETING AND COMMITTEE SCHEDULES FOR 2010 [Attached]

Hallman asked if the Board would consider changing the Board meeting time from 10:00 a.m. to 9:00 a.m. **A motion was made by Black-Hughes, and seconded by Ladd, to change the Board meeting time from 10:00 a.m. to 9:00 a.m. beginning January 16, 2009. The motion carried unanimously.**

There was a motion to amend the 2010 Board meeting start times from 10:00 a.m. to 9:00 a.m. by Black Hughes. The motion was seconded by Middlebrooks and unanimously approved by the Board.

13. COMMITTEE & LIAISON REPORTS

A. Advisory Committee: Wilcoxon [Attached]

Wilcoxon reported the following:

- The Committee welcomed new Committee member Helen Washington, President of the Minnesota Association of Black Social Workers.
- Wilcoxon noted Paula Haraldson is representing the Advisory Committee at today's meeting.
- The Committee discussed the Board's budget surplus and the Finance Committee's recommendation to stay within the last fee reduction and to

reduce fees by an additional 10%. Alan Ingram, Executive Director, National Association of Social Workers, Minnesota Chapter, explained the reduction would revert to the 20% reduction in 2005 and include an additional 10% reduction which equals a 32% total fee reduction.

- There was an update regarding the discontinuation of OMHP's operation.

B. Conference Reports: ASWB: Beehler, Middlebrooks, Zacher-Pate
CLEAR: Hallman, Wilcoxon

- Beehler reported that participants attending the ASWB Annual Meeting/Administrators' Forum November 7-8 in Providence, Rhode Island were instructed to sign a confidentiality form and were not allowed to take notes in the Executive Session. Beehler said ASWB wanted to prevent a breach of the examination content.
- Zacher-Pate said the signing of the confidentiality form was questioned in the Administrators' Forum. ASWB's response was that the parliamentarian recommended participants sign the confidentiality form as a result of the examination security audit.
- There was a report on the examination from the ACT Psychometrician who reported the exam is sound, valid, and reliable.
- There were 50 jurisdictions in attendance, including ten provinces, Newfoundland, and Labrador.
- Middlebrooks reported that due to the economy, ASWB expects a deficit in September which may result in raising test fees and having fewer training sessions. He also noted that even though the delegation is dismissive about the ESL Task Force report, the tone amongst them is changing.
- Zacher-Pate appreciated the Chair of the Administrators' Forum asking her to present on our ESL research. About 45 Administrators were in attendance, and they were genuinely interested in the research but they were not completely in agreement. They did agree, however, that this is an issue that cannot be ignored.

There was discussion about participants being required to sign confidentiality forms at ASWB's Executive Session. **A motion was made by Langseth, and seconded by Black-Hughes, to have the Board's Executive Director and Board Chair send a letter to ASWB and post on its list serve, the Board's objections to conference attendees at the Executive Session being required to sign a confidentiality form. There were two ayes and nine nays to the motion.**

A motion was made by Black-Hughes, and seconded by Ryan, to have the Board's Executive Director and Chair send a letter to ASWB staff questioning the use of a confidentiality agreement for participants attending the conference's Executive Session, and have the Board's Executive Director report back to the Board at the January 16 Board meeting. The motion passed unanimously.

(Cullen left the meeting at 2:15 p.m.)

Sandry reported the following on the CAC Annual meeting held in North Carolina, October 27-29:

- There were about 120 in attendance at the conference. There was a presentation by the Minnesota Board of Nursing on "Just Culture", which is a method of regulation.
- There were discussions on promoting quality in competence through continuing education and self-assessment activities, identifying community-based organizations which may nominate people to serve on Boards, and the role of Board members in recruiting new members.

Hallman and Wilcoxon reported on the CLEAR Conference held in Anchorage, Alaska, September 24-25.

- Hallman reported on three points from the conference: 1) Board member on-line training available at a cost of \$75; 2) discussion on how to measure the effectiveness of compliance reports; and 3) alternative measures of assessing certified competence for ESL applicants.
- Wilcoxon said there was discussion on how Boards assess continued competence and continuing education at license renewals, and the need for credential mobility. Also, there is a Board self-assessment available which our Board may benefit from.
- Wilcoxon also reported on Ontario's concern about its workforce shortage and that 100% of its new workforce will come from an immigrant population.

C. Compliance Education Outreach Committee: Wilcoxon

- Wilcoxon asked Hoffman to report on Board presentations at conferences.
- Hoffman said that he, McNair, Beehler, and Rhubee were at the St. Louis County Health and Human Services Conference in Duluth in October and did a presentation to help attendees understand the compliance process utilizing the Board's new compliance video. Also, a proposal has also been submitted to MSSA for its conference in March. For the first time MSSA will offer a conference in Moorhead in June, 2009, and the Board will have a compliance presentation and vendor booth at both conferences.

D. Council of Health Boards: Kassekert

Kassekert reported the Council did not meet.

E. Executive Committee: Hallman, Middlebrooks, Cullen

Hallman thanked all the Board members whose terms are expiring in January for their work and dedication to the Board. He also asked if any of these Board members would be able to continue working with the Board until the new appointments are made in June as better decisions are made with more people involved and a quorum at Board meetings is required.

F. Finance Committee: Cullen [Report distributed]

Cullen reported on the 10% fee reduction and the concern about the Legislature's response.

G. HPSP: Kassekert

Kassekert reported the following from the Program Committee meeting:

- There are 607 participants with HPSP from the Health Licensing Boards, which is an increase of 39 participants from last year.
- Over the past five years participation has increased by 23%.
- There are 100 cases per case worker and another half-time position may be added if caseload size continues to increase.
- The Committee reviewed the budget, which was voted on and approved.

H. Legislation & Rules Committee: Ladd [Refer to Item 5]

I. Legislative Task Force: Langseth

Langseth reported the following:

- Langseth said the legislative representative to the AFSCME Union, Mark McAfee, was present at the October meeting. McAfee reports that AFSCME's position is to continue to support the current exemption from licensure but feels it is a good idea for the Board to continue sharing information and communicating with unions, county administrators, and interested parties.
- Middlebrooks will begin co-chairing the Committee in January. The new meeting schedule will be from 5:30-7:00 every third Thursday of the month.
- The Committee is preparing a draft proposal to modify exemptions and will send a letter to all interested parties by February 1. The Committee would also like to identify other groups with whom to meet.

J. Licensing Study Committee: Wilcoxon [Refer to Item 6]

K. Nominating Committee: Black-Hughes, Hallman, Johnson, Kassekert, Langseth, Ruebke, Sandry [Refer to Item 10]

Sandry reported the following:

- Several applications have been received for new Board appointments, and a press release about open appointments has been e-mailed to different service organizations.

L. OMHP: Black-Hughes [Refer to Item 9]

14. PUBLIC COMMENT

Pam Luinenberg, Coordinator of the Minnesota Coalition of Licensed Social Workers and Advisory Committee Member, asked if we would have assistance at the Capitol when the request for a fee decrease and the new standards are proposed. Ingram responded that we will need to meet with a lot of legislators on the fee issue.

15. OTHER BUSINESS

There was no other business.

16. ROUNDTABLE

There was no roundtable discussion.

17. ADJOURN

The meeting adjourned at 2:50 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. Cullen', with a long horizontal flourish extending to the right.

William Cullen
Secretary-Treasurer